

Elda Gonzalez  
Plaintiff, Pro Se  
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Tel.: (551) 313-3085

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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ELDA GONZALEZ,  
On behalf of herself, and others similarly situated,  
Plaintiffs

Case No. 20-cv-09350  
Honorable Steward D. Aaron  
U.S. Magistrate Judge

v.

**DECLARATION OF  
ELDA GONZALEZ**

SAMUEL & STEIN  
d/b/a The Law Office of Samuel & Stein,  
MICHAEL SAMUEL,  
DAVID STEIN, and  
DAVID NIEPORENT,

Defendants

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I, Elda Gonzalez, Plaintiff, pro se, under penalty of perjury in the above-captioned matter hereby declares the following:

1. I do not oppose the motion of Troy Law, PLLC to withdraw as counsel representing me in the above matter.
2. I am respectfully requesting this Court to Dismiss the above matter against all of the named Defendants in its entirety.
3. Contrary to what Mr. Troy states, I was always cooperative with his office. In fact, it was he and Mr. Aron Schweitzer who refused to take my many phone calls, and return my multitude of messages, after I told them I wanted the lawsuit dismissed against the Defendants. This is why I went to their office personally in Flushing, New York on December 9, 2020. When I appeared outside of their office and identified myself to Mr. Troy and Mr. Schweitzer, they refused to let me in to speak to them, saying the office was "closed." I appeared with a mask and was not violating Covid19 protocols.

4. They know I live far away in New Jersey. I arrived by public transportation. They know I am over 66 years old and had two recent coronary surgeries, including one for Atrial Fibrillation.

5. I then spoke to Mr. Schweitzer by phone, who told me he was inside the office, but refused to let me enter, knowing my medical condition. I was standing outside his office door. He knew I was wearing a mask. When I told him I wanted the case immediately dismissed, he rudely and abruptly hung up the phone. I left a note in their mail slot stating I wanted the case dismissed.

6. It was obvious they were only interested in collecting fees and never had my best interest as their client, at heart.

7. Again, for days, I did not hear from them. Therefore, on December 16, 2020, I sent them an email telling them I was going to report their conduct to the Attorney Grievance Committee.

8. Contrary to Mr. Troy's Declaration, there were no settlement discussions between myself and the Defendants. Moreover, there were no "under-the-table" deals between the Defendants and myself, as Mr. Troy alleges. Therefore, nor Mr. Troy, or Mr. Schweitzer are entitled to any attorney fees, as they allege.

Dated: January 7, 2021  
Jersey City, New Jersey

Respectfully submitted,



Elda Gonzalez  
Plaintiff,

